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Secrets. II-27—100,000—21-5-48

Home (1948) Department

M/s SERIES.

G.O. No. 2274

Dated 17-6-1948

[Despatch Abstract.]

Passports - Union of Burma - Burma Independence Act 1947 - Foreign office circular - Recorded

No.F.6-PV(I)/48

Government of India.

Ministry of External Affairs and Commonwealth Relations.

New Delhi 3, Dated the 9th June 1948.

A copy of the undermentioned paper is forwarded to

The Home Secretary to the Government of Madras.

for information and guidance, in continuation of memorandum from the Ministry of External Affairs and Commonwealth Relations:

No.F.6-PV(I)/48, dated the 10th May 1948.

By order, etc.,

Under Secretary to the Govt. of India.

Foreign Office, London, Circular No.4(T-27035/18553/378) dated 13th January 1948 (with enclosure)-

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Copy to:

1. Commonwealth Relations Wing*
2. Ministry of Home Affairs*
3. Director Intelligence Bureau

In continuation of the endorsement from the Ministry of External Affairs and Commonwealth Relations No.F.6-PV (I)/48, dated the 13th May 1948.

*with enclosure

By order,etc.,

Under Secretary to the Govt. Of India.

~~Sharma/-~~

(T 27035/18553/378)

CIRCULAR No.4

FOREIGN OFFICE,
13th January, 1948.

Burma Independence ACT, 1947

Sir,

I HAVE to inform you that, under the provisions of the Burma Independence Act, 1947, a copy of which is enclosed herewith, Burma ceased on the 4th January, 1948, to be part of His Majesty's Dominions and acquired the status of a sovereign foreign State.

2. Subject to the provisions of Section 2 of the Act the persons specified in the First Schedule thereto ceased on the 4th January, 1948, to be British subjects. Passport issued in the United Kingdom or its dependencies or by United Kingdom Consuls held by such persons and British Burma passports generally ceased thereupon to be valid. The following instructions should therefore be observed with regard to passports and visas for holders of British Burma passports who do not cease to be British subjects and persons who cease to be British subjects under the Act:-

~~Passport~~

(1) for the first period of 6 months after the 4th January 1948, Burma nationals travelling to the United Kingdom without visas and British subjects without visas holding United kingdom passports issued in the United Kingdom or its dependencies or by a United Kingdom Consul showing them to be ordinarily resident in the United Kingdom, and British protected persons in possession of similar passports and valid visas arriving in Burma, will not be refused leave to land or be deported except on grounds of serious personal undesirability.

(2) For a furhter period of 6 months, Burma nationals on the one hand and on the other hand British subjects and protected persons holding passports issued in the United Kingdom or its dependencies or by United Kingdom Consular Officers showing them to be ordinarily resident in the United Kingdom would be similarly privileged if in possession of valid visas. During this intial year, Burma nationals (including persons with a potential right to opt for British nationality under the Section 2, subsections (2) and (3), of the Act) when in the United Kingdom will be exmpt from the requirement of the Aliens Order regarding registration, and British subjects and protected persons hodding passports issued in the United Kingdom or its dependencies or by a British Consular Officer showing them to be ordinarily resident in the United Kingdom will be exempt from any corresponding requirement in Burma.

4. It is probable that in countries in which Burma has no direct representations after the 4th January, 1948, United Kingdom Consular and Passport Control Officers will be required to act for the Government of Burma. The extent to which this will be necessary has, however, not yet been determined, but instructions in the respect will be issued in due course to the officers affected.

5. Further instructions will be sent to you in due course regarding the procedure for dealing with declarations of election for British nationality under Section 2, subsections (2) and (3), of the Act. In the meantime, in view of the time limit imposed, it is desirable that the widest possible publicity should be given to these provisions of the Act in the manner best calculated to reach the notice of the persons concerned in the most effective manner. The methods adopted will depend on the faciliteis available in different localities and in some measure upon the attitude of the local authorities, and, in order to avoid any possibility of offence in this respect, Consular Officers should consult His Majesty's Representative in the country in which they reside before making any public announcement in the local press or otherwise. Any expenditure incurred in printing or advertising these provisions of the Act will be charged in your account with this Department.

6. This circular is addressed to His Majesty's Representatives (as No.07).

7. Additional copies of this circular are enclosed for the use of Consular Officers under your superintendence.

I am,
Sir,
Your obedient Servant,

ERNEST BEVIN.

Passports -

(a) All British Burma passports are now invalid and should be impounded if presented for renewal or for endorsements or for visas. Where the holder continues to possess British nationality the British Burma passport may be replaced by a United Kingdom passport valid for the period during which the impounded passport could have remained valid. Such passports may be issued gratis. In the event of the presentation of out-of-date but otherwise valid renewable passports, the normal fees for renewal should be levied. In the circumstances of exceptional emergency the existing British Burma passport may be endorsed to the effect that its validity is exceptionally extended for a period not exceeding three months. In such cases the holder should be advised to exchange the British Burma passports for a United Kingdom passport at the first opportunity.

His Majesty's Consular Officers.

(b) Persons who cease to be British subjects will no longer be entitled to hold a British passport of any kind. Regular Burma passports will not be available for issue for some time but the Burma Government have undertaken to supply a temporary travel document, consisting of a one-, or at the most two-, page document for issue to Burma national during the transition period. Stocks of this document will, it is hoped, shortly be available at a number of posts, together with instructions for their issue and the categories of persons who will be entitled to receive them.

Passport Endorsements:

British passports endorsed for all countries in the British empire" ceased on the 4th January, 1948, to cover Burma. British subjects obtaining new passports after that date should receive an endorsement specifically mentioning Burma, or alternatively, for "Far Eastern countries outside the Briti Empire," where such an endorsement is appropriate. The Burma Government have agreed, however, to admit to Burma, within a period of 6 months after the 4th January, 1948 (i.e., until the 4th July 1948,), holders of passports not bearing a specific endorsement for Burma issued in the United Kingdom or its dependencies or by a United Kingdom Consul.

Visas:

(a) British subjects and protected persons travelling to Burma will now require Burma visas. The Burma Government have, however, undertaken as a transitional measure, and for the same period of 6 months, to admit to Burma holders of passports issued in the United Kingdom or its dependencies or by a United Kingdom Consul bearing the British Empire endorsement who are not in possession of valid Burma visas, provided the passports show that the holders are ordinarily resident in the United Kingdom.

(b) persons who have ceased to be British subjects under the Act will require British visas to travel to the United Kingdom and the Colonies, &c. The standard fee should be charged. During the period of 6 months after the 4th January, 1948, however, a similar transitional concession will be made in favour of Burma nationals who arrive in the United Kingdom without visas.

3. The following understanding has been reached with the Burma Government with regard to the treatment of Burma and British nationals when in the United Kingdom and Burma respectively:-

P.T.O.

GOVERNMENT OF MADRAS.
Abstract.

Passports - Union of Burma - Burma Independence Act, 1947 - Foreign office circular - Communicated.

Home Department.

G.O.Ms.No.2274 Dated 17th June 1948

Read the following:

I. G.O.No.P1897 (Home), dated the 18th May 1948.
II. From the Government of India, Ministry of External Affairs and Commonwealth Relations, No.6-PV(I)/48, dated the 9th June 1948.

ORDER.

Communicated to the Commissioner of Police, Madras in continuation of the G.O.P.1897 (Home), dated the 18th May 1948.

2. A copy of the Burma Independence Act, 1947 is not enclosed as revelvant extract have already been sent with the G.O.referred to above.

To the Commr. of Police, Madras
(with copy of pp.1-6 only)
Copies for stock file.
1. Year
2. Burma

/True copy/

Superintendent,
Madras Record Office.

N.G.29.5.